

## Message Text

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12

ORIGIN EB-11

INFO OCT-01 EA-11 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

DOT-00 INR-10 NSAE-00 RSC-01 FAA-00 /043 R

DRAFTED BY EB/AN:NLPZDRAL:JO

APPROVED BY EB/AN:MHSTYLES

CAB - MR. HORNEMAN

EA/ANP - MR. LANGE

----- 083588

R 262330Z APR 74

FM SECSTATE WASHDC

TO AMEMBASSY WELLINGTON

UNCLAS STATE 086387

E.O. 11652: N/A

TAGS: ETRN, AU

SUBJECT: CIVAIR: PAN AM'S OPERATING LICENSE

1. PAN AM HAS CALLED TO DEPT'S ATTENTION THE INTERNATIONAL AIR SERVICE LICENSE DATED MARCH 22, 1974, ISSUED TO THE COMPANY BY THE MINISTER OF CIVIL AVIATION AND METEOROLOGICAL SERVICES. CERTAIN SECTIONS OF THE LICENSE APPEAR NOT FULLY CONSISTENT WITH THE PROVISIONS OF THE U.S.-NZ AIR TRANSPORT AGREEMENT AND RELATED UNDERSTANDINGS ON CAPACITY.

2. UNDER "SPECIAL CONDITIONS" PARAGRAPH D(B) THE LICENSE WOULD REQUIRE THE AIRLINE TO PROVIDE" FACTUAL EVIDENCE SUPPORTING THE OPERATION OF ANY NEW SERVICES OR CAPACITY INCREASES..., UNLESS OTHERWISE AGREED IN SPECIAL CIRCUMSTANCES." THIS IS INCONSISTENT WITH PROVISIONS OF THE 1964 AGREED MINUTE GOVERNING CAPACITY INCREASES WHICH SPECIFIES THAT THE GOVERNMENT OF A DESIGNATED AIRLINE INTENDING TO INCREASE CAPACITY WILL SATISFY ITSELF OF THE APPROPRIATENESS OF A PROPOSED SCHEDULE BEFORE TRANSMITTING IT TO THE RECEIVING GOVERNMENT.

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3. SIMILARLY THE SPECIFICATION OF ROUTE PATTERNS AND FREQUENCIES AND THE REQUIREMENT THAT ANY CHANGES IN THE ROUTE PATTERN BE SUBJECT TO PRIOR APPROVAL IS NEITHER CONSISTENT WITH RECIPROCITY AS ACCORDED AIR NEW ZEALAND IN ITS FOREIGN AIR CARRIER PERMIT WHICH SPECIFIES NO FREQUENCIES AND WHICH CONTAINS ALL OF THE ROUTE AUTHORITY AVAILABLE UNDER THE NEW ZEALAND ROUTE SCHEDULE TO THE AIR TRANSPORT AGREEMENT, NOR WITH THE PROVISIONS OF ARTICLE 2 OF THE AIR TRANSPORT AGREEMENT OF 1964. THE EMBASSY IS REQUESTED TO BRING THIS MATTER TO THE ATTENTION OF THE NEW ZEALAND AVIATION AUTHORITIES SO THAT FUTURE LICENCES ISSUED PAN AMERICAN MAY BE MODIFIED APPROPRIATELY. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AVIATION AGREEMENTS, LICENSES, AIR ROUTES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 26 APR 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Enclosure:** n/a  
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**Errors:** N/A  
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**Secure:** OPEN  
**Status:** NATIVE  
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